

## **EXHIBIT B**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X

DAVID KLEIN,

Plaintiff,

-against-

*Index No.:*

*Plaintiff designates New York  
County as the place of trial.*

*The basis of the venue is that  
Defendant conducts business in  
New York County.*

JELLY BELLY CANDY COMPANY

**SUMMONS**

Defendant.

-----X

*To the above named Defendant:*

**YOU ARE HEREBY SUMMONED** to answer the complaint in this action and to serve a copy of your answer, or if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorneys within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded herein.

Dated: May 23, 2022

*Defendant's Address:*

One Jelly Belly Lane,  
Fairfield, CA 94533-674

**JAFRI LAW FIRM**

/s/Esmeralda Famutimi

By: Esmeralda Famutimi, Esq.

LLM

50 Evergreen Row

Armonk, New York 10504

[esmeralda@jafrilawfirm.com](mailto:esmeralda@jafrilawfirm.com)

*Attorney for Plaintiff*

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

|  |  |
|--|--|
| DAVID KLEIN,<br><br>Plaintiff,<br><br>v.<br><br>JELLY BELLY CANDY COMPANY,<br><br>Defendant. |  |
|--|--|

COMPLAINT

NOW COMES Plaintiff David Klein, represented by Jafri Law Firm, and brings this suit against Defendant Jelly Belly Candy Company for libel and collusion with civil conspiracy. This is an action for monetary damages to redress Plaintiff's irreparable damage and loss caused by Defendant.

JURISDICTION AND VENUE

This Court has jurisdiction over this matter in that Defendant duly operates and conducts a substantial amount of business in the State of New York. As such, venue is proper in this county.

BACKGROUND

I. Factual Background

Plaintiff David Klein is the original founder of the Jelly Belly Company. On October 16, 1980, Plaintiff, Jay C. Lieberman and Herman Goelitz Candy Co., Inc. were parties to a Trademark Assignment and Marketing Agreement. Pursuant to the agreement, Herman Goelitz Candy Co., acquired a trademark for use of the Jelly Belly U.S trademark (number 1,132,233.) Defendant Herman Rowland Sr., the Jelly Belly Candy Company has published false and

defamatory information about Plaintiff in an effort to rewrite the history and origin of the Jelly Belly jelly bean. Defendant has portrayed Plaintiff as a fake and not the true inventor and founder of the Jelly Belly jelly beans, therefore portraying Plaintiff in a misleading light, which is highly offensive or embarrassing to a reasonable person of ordinary sensibilities. Defendant Jelly Belly Candy Company has published the information with reckless disregard as to its offensiveness.

Defendant Jelly Belly Candy Company has conspired with press release companies and other third parties to further portray Plaintiff as not the true founder and inventor of the Jelly Belly jelly bean. Furthermore, Defendant has attempted to silence Plaintiff and prohibit him from making true statements and representing himself as the original inventor and founder of the Jelly Belly jelly bean in any press release to further Defendant's own economic gain. Newswire has disclosed through reliable sources that Defendant Jelly Belly Candy Company has advised the press not to mention Plaintiff David Klein as the inventor and founder of the Jelly Belly jelly beans and has disputed the earlier press releases issued by Plaintiff. Thus, colluding to misinform the public regarding the true inventor of the Jelly Belly jelly bean. Newswire has informed Plaintiff that they are not permitted to spread truthful information stating that Plaintiff invented the Jelly Belly jelly bean in any of the press releases that he or his partners have sent to Newsire or other media sources. *See* Tab A.

Newswire sent an email to Plaintiff stating:

"We are unable to include mentions of Mr. Klein being the inventor of the Jelly Bean due to the Jelly Bean company advising - after we published a previous release from him - that it disputed said claim." Therefore, further establishing that there was an agreement between the press and Defendant to censor Plaintiff from being the true inventor of the Jelly Belly jelly bean.

On September 20, 2021, The Washington Post published an article titled “A Colorado man found a winning golden ticket. He passed on owning a candy factory.” The article identified Plaintiff David Klein as the inventor of the Jelly Belly jelly bean.<sup>1</sup> However, soon after publication, a correction was added to the article stating:

*“An earlier version of this story misidentified David Klein as the founder of the Jelly Belly Candy Company. Gustav Goelitz was the founder of the company, which was formally known as the Herman Goelitz Candy Company. The article has been corrected.”*

On April 3, 2019, Refinery29 published an article titled “We Planned The Menu For Kim Kardashian’s “Zen-Like CBD-Themed” Baby Shower.”<sup>2</sup> This article discussed Plaintiff David Klein’s candy, referring to him as “Mr. Jelly Belly himself.”, with a link to an article discussing the invention of Jelly Belly. Soon after publication, a correction was published on April 4, 2019. The correction stated:

*“An earlier version of this story incorrectly stated that the creator of Spectrum Confections was the founder of Jelly Belly Candy Company. He came up with the name, Jelly Belly but did not found the company. We regret the error.”*

Furthermore, Defendant Jelly Belly Candy Company uses Plaintiff’s photo in their factory tour. Evidently, Defendant seems to acknowledge Plaintiff when it comes to economic gain, however, continuously misrepresents to the media the true identity of Plaintiff. *See* Tab B,

## II. Legal Standard

Defamation is the injury to one's reputation either by written expression, which is *libel*, or by oral expression, which is slander. *See Morrison v. Nat'l Broad. Co.*, 227 N.E.2d 572, 574 (N.Y. 1967). The law of defamation serves to protect an individual's right to one's reputation. *See*

*Gertz v. Welch*, 418 U.S. 323, 343–45 (1974). To establish libel, a plaintiff must prove five elements: “(1) a written defamatory factual statement [of and] concerning the plaintiff; (2) publication to a third party; (3) fault; (4) falsity of the defamatory statement; and (5) damages or per se actionability.” *Chau v. Lewis*, 771 F.3d 118, 126–27 (2d Cir. 2014). Falsity is a necessary element of a defamation cause of action and because “only ‘facts’ are capable of being proven false, it follows that only statements alleging facts can properly be the subject of a defamation action.” *Rosner v. Amazon.com*, 18 N.Y.S.3d 155, 157 (2d Dep’t 2015). “Whether particular words are defamatory presents a legal question to be resolved by the court in the first instance.” *Celle v. Filipino Rep. Enters., Inc.*, 209 F.3d 163, 176 (2d Cir. 2000).

To establish a claim of collusion with civil conspiracy, a plaintiff must demonstrate the underlying tort, plus the following four elements: (1) an agreement between two or more parties; (2) an overt act in furtherance of the agreement; (3) the parties’ intentional participation in the furtherance of a plan or purpose; and, (4) resulting damage or injury. *See Treppel v. Biovail Corp.*, Dist. Court, SD, New York (2005).

### III. Analysis

Plaintiff has established multiple written defamatory factual statements concerning the Plaintiff which have been published to a third party. The published articles with corrections instructed by Defendant portray and explicitly state that Plaintiff is not the true inventor and founder of the Jelly Belly jelly bean, this is inarguably false. This misrepresentation and lie is a direct attack on Plaintiff’s reputation which he has spent decades building and has caused damage. Thus, Plaintiff has established a cause of action for libel.

Plaintiff has established a claim for collusion with civil conspiracy. An agreement was made between Defendant Jelly Belly Candy Company and Refinery29. This agreement prohibits

Refinery29, a press company to spread truthful information stating that Plaintiff invented the Jelly Belly jelly bean. An overt act in furtherance of this agreement was established on April 3, 2019, when Refinery29 published a correction. This correction misrepresented the original founder and creator of the Jelly Belly Candy Company. This overt act and the intentional participation of it was intended to further the economic gain of Defendant and further misrepresent the actual founder and creator of the jelly bean. An agreement was also made by The Washington Post on September 20, 2021 when the Washington Post retracted Plaintiff as the founder and creator of the Jelly Belly Candy Company. An overt act in furtherance of this agreement was established when a correction was published at the direction of Defendant. This act was intentional, deliberate, and not the first instance of Defendant's mischaracterization of the foundation of the Jelly Belly Company simply for economic advantage. Thus, resulting in the economic and reputational harm of Plaintiff. Defendant's intentional actions have resulted in irreparable damage and loss to Plaintiff David Klein. Newswire received specific instructions that it is not allowed to give Plaintiff any media coverage that accurately and truthfully describes his role in inventing and founding the Jelly Belly jelly bean. Defendant also misinformed Google that the inventor of Jelly Belly Jelly Beans is Gustav Goelitz and not Plaintiff David Klein.

#### PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that the Court enter judgment in his favor and against Defendant, containing the following relief:

A. A declaratory judgment that the actions, conduct and practices of Defendant complained of herein constitutes libel, collusion and civil conspiracy.

B. An injunction and order permanently restraining Defendant from prohibiting the publication of Plaintiff as the founder and creator of the Jelly Belly jelly bean.



C. An award of damages in an amount to be determined at trial, plus prejudgment interest, to compensate Plaintiff for all monetary and/or economic damages, including but not limited to, the loss of past and future income, wages, compensation, and other benefits of identifying as the creator of Jelly Belly jelly bean.

D. An award of damages in an amount to be determined at trial, plus prejudgment interest, to compensate Plaintiff for all non-monetary and/or compensatory damages.

E. An award of damages for any and all other monetary and/or non-monetary losses suffered by Plaintiff in an amount to be determined at trial, plus prejudgment interest;

F. An award of punitive damages;

G. An award of costs that Plaintiff has incurred in this action, as well as Plaintiff's reasonable attorney's fees to the fullest extent permitted by law; and

H. Such other and further relief as the Court may deem just and proper.

Respectfully submitted,

JAFRI LAW FIRM

Dated: May 23, 2022

Armonk, NY

By: /s/ Esmeralda Famutimi  
Esmeralda Famutimi,  
Esq., LLM  
50 Evergreen Row  
Armonk, NY 10504  
Esmeralda@jafrilawfirm.com  
t: (800)593-7491  
f: (224)228-6721  
*Counsel for Plaintiff*

TAB A



Stephanie Thirtyacre <tyblossom@gmail.com>

## Fwd: ACTION REQUIRED: Your Press Release is on HOLD

5 messages

Ashley Thirtyacre <ashley@thegoldticket.com>  
To: tyblossom@gmail.com

Thu, Nov 12, 2020 at 5:53 PM

----- Forwarded message -----

From: **NewsWire** <editorial-system@newswire.com>  
Date: Thu, Nov 12, 2020 at 5:10 PM  
Subject: ACTION REQUIRED: Your Press Release is on HOLD  
To: Ashley Thirtyacre <ashley@thegoldticket.com>

## NEWSWIRE

Hi Ashley,

Thank you for your latest submission, The Hunt for the Candyman's Treasure Continues. We have reviewed your press release and our editorial team has requested additional actions be taken:

### General comments:

Thank you for sharing your news with us. Before we can send this release to our distribution partner, we just need this sentence in the fourth paragraph revised by replacing "founder" with "creator". Our partner may require said change, per guidance they provided following the publication of a previous Tricky Treasures press release that was submitted to Newswire under a different account --

"David Klein, The Candyman and founder of Jelly Belly® jelly beans, has been overjoyed at the reception everyone has had to the Candyman's Treasure Hunt."

Please revise and resubmit when ready, and we'll then send the release to our partner for their own review.

Your release will remain on HOLD until action has been taken. Please feel free to revise/edit your press release here:

<https://tricky-treasures.newswire.com/manage/publish/pr/edit/21255421>

For any questions please contact us by replying back to this message or emailing [editorial@newswire.com](mailto:editorial@newswire.com) for further clarification.

Once changes have been made and resubmitted, we will review the press release for approval. If changes meet our acceptability guidelines, we will approve and schedule your release for the previously requested date/time unless provided with an updated date/time.

Please note any email campaigns created coinciding with this release may not reflect changes suggested/processed by editorial team. Please revise your email campaign accordingly.

Thank you!

Best Regards,

Newswire Editorial Team

Newswire.com  
5 Penn Plaza, 23rd Floor  
New York, NY 10001



Server Time: 2020-11-12 22:10:02



Virus-free. [www.avast.com](http://www.avast.com)

**tyblossom** <[tyblossom@gmail.com](mailto:tyblossom@gmail.com)>  
To: Ashley Thirtyacre <[ashley@thegoldticket.com](mailto:ashley@thegoldticket.com)>

Thu, Nov 12, 2020 at 5:59 PM

Hi,

Can we please get a copy of what you're basing the needed change on?

Thank you,

Ashley

[Quoted text hidden]

**Ashley Thirtyacre** <[ashley@thegoldticket.com](mailto:ashley@thegoldticket.com)>  
To: tyblossom@gmail.com

Fri, Nov 13, 2020 at 10:04 AM

----- Forwarded message -----

From: **Jackson Falconer (Newswire.com)** <[editorial@newswire.com](mailto:editorial@newswire.com)>  
Date: Fri, Nov 13, 2020, 1:02 AM  
Subject: [Newswire.com] Re: Re: ACTION REQUIRED: Your Press Release is on HOLD  
To: Ashley Thirtyacre <[ashley@thegoldticket.com](mailto:ashley@thegoldticket.com)>

##- Please type your reply above this line -##

Your request (59814) has been updated. To add additional comments, reply to this email.



**Jackson Falconer (Newswire.com)**

Nov 13, 2020, 1:02 AM EST

Hi Ashley,

Apologies for the delay in reply. We've heard back from our distribution partner, and they advised that they would want the change I mentioned in my first message (replacing "founder" with "creator" in this sentence:

"David Klein, The Candyman and founder of Jelly Belly® jelly beans, has been overjoyed at the reception everyone has had to the Candyman's Treasure Hunt."

They did not provide an elaborate reply, however, they advised us in September that they would be sensitive mentions of the word "founder" when concerning Jelly Bean or their products in new TGT press releases, due to a release that JB published following the first release's publication:

<https://news.jellybelly.com/the-gold-ticket-candy-factory-giveaway-contest>

Let us know if you're fine with said change, and if you have any other questions.



**Jackson Falconer (Newswire.com)**

Nov 12, 2020, 6:55 PM EST

Hi Ashley,

Thank you for your prompt reply. We're asking our distribution partner for clarification on the mentioned guidance. Once we have that we'll relay it to you. Sorry for any inconvenience, but we simply want to be sure that your release is accepted by them without issue prior to scheduling it for distribution.



**Ashley Thirtyacre**

Nov 12, 2020, 6:02 PM EST

Hi,

Can we please get a copy of what you're basing the needed change on?

Thank you,

Ashley

Virus-free. [www.avast.com](https://www.avast.com) ([https://www.avast.com/sig-email?utm\\_medium=email&utm\\_source=link&utm\\_campaign=sig-email&utm\\_content=webmail&utm\\_term=link](https://www.avast.com/sig-email?utm_medium=email&utm_source=link&utm_campaign=sig-email&utm_content=webmail&utm_term=link))

On Thu, Nov 12, 2020 at 5:10 PM Newswire <[editorial-system@newswire.com](mailto:editorial-system@newswire.com)> wrote:

Hi Ashley,

Thank you for your latest submission, The Hunt for the Candyman's Treasure Continues. We have reviewed your press release and our editorial team has requested additional actions be taken:

General comments:

Thank you for sharing your news with us. Before we can send this release to our distribution partner, we just need this sentence in the fourth paragraph revised by replacing "founder" with "creator". Our partner may require said change, per guidance they provided following the publication of a previous Tricky Treasures press release that was submitted to Newswire under a different account --

"David Klein, The Candyman and founder of Jelly Belly® jelly beans, has been overjoyed at the reception everyone has had to the Candyman's Treasure Hunt."

Please revise and resubmit when ready, and we'll then send the release to our partner for their own review.

Your release will remain on HOLD until action has been taken. Please feel free to revise/edit your press release here:

<https://tricky-treasures.newswire.com/manage/publish/pr/edit/21255421>

For any questions please contact us by replying back to this message or emailing [editorial@newswire.com](mailto:editorial@newswire.com) for further clarification.

Once changes have been made and resubmitted, we will review the press release for approval. If changes meet our acceptability guidelines, we will approve and schedule your release for the previously requested date/time unless provided with an updated date/time.

Please note any email campaigns created coinciding with this release may not reflect changes suggested/processed by editorial team. Please revise your email campaign accordingly.

Thank you!

Best Regards,

Newswire Editorial Team

Newswire.com (<https://www.newswire.com/>)  
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This email is a service from Newswire.com. Delivered by Zendesk

**Ashley Thirtyacre** <ashley@thegoldticket.com>  
To: Stephanie Thirtyacre <tyblossom@gmail.com>

Mon, Nov 16, 2020 at 8:58 AM

----- Forwarded message -----

From: **Jackson Falconer (Newswire.com)** <editorial@newswire.com>  
Date: Mon, Nov 16, 2020 at 1:15 AM  
Subject: [Newswire.com] Re: ACTION REQUIRED: Your Press Release is on HOLD  
To: Ashley Thirtyacre <ashley@thegoldticket.com>

##- Please type your reply above this line -##

Your request (59814) has been updated. To add additional comments, reply to this email.



**Jackson Falconer (Newswire.com)**

Nov 16, 2020, 1:15 AM EST

Hi Ashley,

"Is there a way we are allowed to submit a "Correction" to their press release?" – Our distribution partners would not want to step into the ring, so to speak, on such a dispute. Also, I do not think they would consider changing their mind about their requirement. I am sorry for any inconvenience.



**Ashley Thirtyacre**

Nov 14, 2020, 1:40 PM EST

Hello Jackson,

Is there any way that we can submit information that proves our statement is correct in order to get our press release used as it stands or is there a way we are allowed to submit a "Correction" to their press release?

Please watch Candyman The David Klein Story which can be seen on Amazon Prime for free.

We can also send a copy of the contract where The Jelly Belly® Co bought the trademark from David and his partner.

We can also show a book reference that he owned The Jelly Belly Co. as well as a canceled check from 1976.

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

Virus-free. [www.avast.com](http://www.avast.com)

Ashley Thirtyacre <ashley@thegoldticket.com>  
To: Stephanie Thirtyacre <tyblossom@gmail.com>

Mon, Apr 26, 2021 at 2:00 PM

----- Forwarded message -----

From: **David T. (Newswire.com)** <editorial@newswire.com>  
Date: Thu, Nov 19, 2020, 5:51 PM  
Subject: [Newswire.com] Re: Re: ACTION REQUIRED: Your Press Release is on HOLD  
To: Ashley Thirtyacre <ashley@thegoldticket.com>

##- Please type your reply above this line -##

Your request (59814) has been updated. To add additional comments, reply to this email.



**David T. (Newswire.com)**

Nov 19, 2020, 5:50 PM EST

Hello Ashley,

I hope you are doing well today. Thank you for reaching out to us with your request.

After reviewing your account, you have been issued a refund in the amount of \$404.10 for your purchase of the Newswire Digital Plus distribution per your request. You should have received a separate email to the email address on file with an updated receipt. Please allow 3 – 7 business days for your credit issuer to process this request and for your refund to appear on your credit statement.

Please let me know if you have any additional questions or concerns and I will be happy to assist you.  
:)

Warmest Regards,

David Tadros  
*Client Success Specialist*  
Newswire  
Office: (800)–713–7278  
Direct: (917)–809–6701  
Website: [www.newswire.com](http://www.newswire.com)  
Facebook: [Online Press Release Distribution](#)

*We are rated #1 in Customer Service by [G2 Crowd](#)*

*We are rated the #1 PR Software for 2018*

Please consider the environment prior to printing this e-mail. Thank you.

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not the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this communication is strictly prohibited.



**Jackson Falconer** (Newswire.com)

Nov 19, 2020, 2:34 PM EST

Hi Ashley,

Thank you for the update. I'll go ahead and forward your request to our Client Services team, who will address within 1–4 business days. Please let us know if you need anything else.



**Ashley Thirtyacre**

Nov 19, 2020, 12:56 PM EST

Hello Jackson,

After discussing it with our team, we've actually decided that we would like to cancel the press release for now so that we can rewrite it and submit a new one in the future. Is it possible to get a refund for the press release?

Thank you,  
Ashley

Virus-free. [www.avast.com](https://www.avast.com) ([https://www.avast.com/sig-email?utm\\_medium=email&utm\\_source=link&utm\\_campaign=sig-email&utm\\_content=webmail&utm\\_term=link](https://www.avast.com/sig-email?utm_medium=email&utm_source=link&utm_campaign=sig-email&utm_content=webmail&utm_term=link))



**Jackson Falconer** (Newswire.com)

Nov 18, 2020, 11:21 PM EST

Hi Ashley,

We saw that you resubmitted with new timing instructions and just want to be sure that we're in the clear to proceed. Can you please confirm that you're fine with the mentioned revision in the fourth paragraph's first sentence?

[Quoted text hidden]

[Quoted text hidden]

## TAB B

The tube's not  
so boob: Dick  
Cavett is back  
Debby Boone lights  
up the pop charts  
'J' writes a 2nd  
sensuous book

October 17, 1977-60¢

# People

weekly

People Magazine  
David Klein  
October 17, 1977

STYLE IN

FINANCIALLY  
SPEAKING,  
DAVID KLEIN WILL  
NEVER TAKE A BATH  
WITH HIS GOURMET  
JELLY BEANS

"Mr. Jelly Belly" will go to any  
lengths to convince the world  
that his candy is worth a stiff  
\$2.50 a pound.

CONTRUED

Style CONTINUED

There are 25 flavors now, but watch for pumpkin pie



Klein, who tends the store as well as runs the business, helps a fellow jelly bean freak pick from among the 25 flavors.

Jelly beans, a French and Turkish invention of the mid-19th century, are going modern after 125 years. Their plain Jane image has been replaced by Jelly Belles, called "the Rolls-Royce of jelly beans." Their renaissance is the handiwork of David Klein, an eccentric 31-year-old Californian who used to be known as Mr. Jelly Belly.

Klein makes his gourmet jelly beans smaller and, using mostly natural ingredients, in 25 flavors, such as chocolate banana, root beer, cream soda and mai-tai. Watermelon (green outside, pink inside) is the most popular new taste.

So far this year Klein has shipped more than 20 million Jelly Belles to Bloomingdale's in New York. When Marshall Field sends out its Christmas catalogue offering Jelly Belles, Klein predicts enough business to make him a millionaire before the year is over. He will also ship his beans at \$2.50 a

pound postage free anywhere in the U.S. from his Alhambra headquarters.

Growing up in Van Nuys, Calif., Klein was a precocious, overweight child who loved math and comic books (he hasn't changed much). He graduated from UCLA in economics with straight A's while paying his way with his first business, Big Dave's Popcorn. Moving on to the Southwestern University School of Law in Los Angeles, Klein passed the California bar in 1972, but then checked the Yellow Pages. "I just didn't want to be another name on a huge list of lawyers," Klein explains. "Besides, I would have had to buy a suit and a tie." In the same phone book, he noticed only a few wholesale nut suppliers. Soon he was selling nuts to ice cream makers and health food stores. ("It's a great business," he enthuses. "Once you get an account you keep it.") Pecans inspired a business friendship with Wally "Famous" Amos, the chocolate chip

cookie king, and Klein decided to launch his own elite single-product line in July 1976.

Business was slow at first. "Some days I gave away more samples than I sold." An AP story that appeared in more than 100 newspapers in October 1976 was the turning point. Klein continues to work far into the night in the rented tract house he shares with wife Rebecca, 26, and son Bert, 2, in Temple City. "When you own a business, if you don't keep thinking, you're dead," Klein says. He's thinking. There will be a pumpkin pie Jelly Belly by Halloween and a sugar-free variety by Christmas. Some flavors, like Coca Cola and pizza, never made it past the drawing board. So how to tell a real Jelly Belly from the competition? Bite the bean in half, Klein urges. "If the inside is white, it's a fake."

SUZU KALTER

SUPREME COURT OF THE STATE OF  
NEW YORK COUNTY OF NEW YORK

----- X  
DAVID KLEIN,

Plaintiff,

- against -

JELLY BELLY CANDY COMPANY,

Defendant.  
----- X

Index No. 154444/2022

**ACKNOWLEDGMENT  
AND ACCEPTANCE OF SERVICE**

I, Eric Wong, attorney for Defendant Jelly Belly Candy Company (“Defendant”), hereby acknowledge and accept service of the Summons and Complaint filed by Plaintiff David Klein. Service of Process on June 3, 2022 is hereby acknowledged on behalf of Defendant. There is no need for any further service of process, as it is hereby waived.

Dated: New York, NY  
June 6, 2022

GREENBERG TRAURIG, LLP

By: 

Eric Wong

One Vanderbilt Avenue  
New York, NY 10017  
Email: wonge@gtlaw.com  
Tel. 973.443.3288

*Attorneys for Defendant  
Jelly Belly Candy Company*

SUPREME COURT OF THE STATE OF  
NEW YORK COUNTY OF NEW YORK

----- X  
DAVID KLEIN,

Plaintiff,

- against -

JELLY BELLY CANDY COMPANY,

Defendant.  
----- X

Index No. 154444/2022

**STIPULATION EXTENDING  
TIME TO ANSWER**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned  
counsel that:

1. The date for defendant Jelly Belly Candy Company to answer, move or otherwise  
respond to the Complaint in this action is hereby extended through and including August 2,  
2022.

2. This stipulation may be executed in counterparts and signatures transmitted by e-  
mail, facsimile or other electronic means shall be deemed originals for the purposes hereof.

Dated: June 7, 2022


JAFRI LAW FIRM

GREENBERG TRAURIG, LLP

*Farva Jafri*  
By: \_\_\_\_\_  
Farva Jafri

50 Evergreen Row  
Armonk, NY 10504  
Email: farva@jafri-lawfirm.com

*Attorneys for Plaintiff  
David Klein*

By:   
Eric Wong

One Vanderbilt Avenue  
New York, NY 10017  
Email: wonge@gtlaw.com

*Attorneys for Defendant  
Jelly Belly Candy Company*